

PATENT

Attorney Docket No. DLP/001

REMARKS

The present Petition for Withdrawal, Request for Continued Examination, and Preliminary Amendment were prompted by the disclosure of European Patent Application Publication EP 1048252 ("the Powell Application"), which was brought to Applicant's attention in the course of a corresponding PCT proceeding, after the issue fee was paid herein. A copy of the Powell Application is included with the Supplemental IDS filed herewith.

Independent claim 1 (from which the remaining claims depend) is hereby amended to add the limitation that the recited bucket has "walls that include side portions, a bottom portion and a front portion, wherein said front portion and said side portions extend upwardly above said bottom portion." The Powell Application discloses an open-fronted scoop and does not teach or suggest a front portion extending upwardly above the bottom portion (base 17). The Powell Application in fact teaches away from the use of such a front portion, as that would eliminate the open front that is fundamental to the concept disclosed therein.

The Office is encouraged to telephone the undersigned if desired to expedite the prosecution of this application.

Respectfully submitted,

Dated: December 14, 2005

/ Thomas J. Brindisi /
THOMAS J. BRINDISI
Reg. No. 40,348

20 28th Place, Suite B // Venice, California 90291
Tel. (310) 439-2901 // Fax. (310) 439-2902